



## TENNESSEE REGULATORY AUTHORITY

460 James Robertson Parkway  
Nashville, Tennessee 37243  
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### NOTICE OF FILING

DOCKET NO: 04-00335

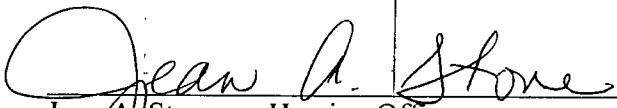
IN RE: Petition of King's Chapel Capacity, LLC for Certificate of Convenience and Necessity to Serve an Area in Williamson County, Tennessee Known as Ashby Community

DATE: May 27, 2005

On December 17, 2004, an Order was issued holding this matter in abeyance pending 1) the award or refusal to award to King's Chapel Capacity, LLC ("King's Chapel") a state operating permit by the Tennessee Department of Environment and Conservation ("TDEC") and the decision whether or not to terminate the permit of Tennessee Wastewater Systems, Inc ("TWS") by the TDEC; and 2) the dismissal of Count III of the Complaint or the determination of the ownership of the sewer system by the Chancery Court in Williamson County. On May 24, 2005, King's Chapel filed a *Notice Of Order Entered In Collateral Proceed And Motion To Set Aside Order Granting Motion To Hold Proceedings In Abeyance And For An Expedited Hearing* ("Notice"). Attached to the *Notice* as Exhibit 1 is an Order from the Chancery Court of Williamson County, Tennessee dismissing Count III of the Complaint. The *Notice* also refers to evidence of the decision by TDEC to terminate the state operating permit of TWS and to suspend processing of the permit application of the King's Chapel having previously been filed in the record. Although not clear, the *Notice* may be referring to letters from TDEC to the parties which were filed with the Authority on February 1, 2005, which indicate that TDEC was taking certain actions "pending a final ruling in the litigation" in Chancery Court.

To clarify the status of the state operating permits, the Hearing Officer directs the parties to file any additional information available since February 1, 2005 regarding the parties' state operating permits or any final action taken by TDEC as a result of the final ruling in Chancery Court. Such information shall be filed with the Authority no later than **Tuesday, June 7, 2005**.

FOR THE TENNESSEE REGULATORY AUTHORITY:

  
Jean A. Stone, as Hearing Officer

cc Parties of Record

Original in Docket File